

### **Rule 3015-3. Chapter 13 Confirmation.**

#### **(A) Valuation of Collateral Securing Claims.**

- (1) Valuation of Collateral.** A chapter 13 debtor seeking to value collateral securing a claim in a chapter 13 plan pursuant to 11 U.S.C. § 506(a) and Bankruptcy Rule 3012 must file the Local Form “Motion to Value Collateral in Plan and Notice of Hearing”. The debtor must serve the motion, the chapter 13 plan and the notice of the § 341 meeting on the affected creditor(s) in accordance with Bankruptcy Rule 7004 and at least 20 days prior to the date of the confirmation hearing.
- (2) Objections to Debtor’s Declared Valuation.** Any oral or written objections to the valuation of collateral contained in a chapter 13 plan and in a motion to value collateral must be raised at or before the confirmation hearing. If no oral or written objections to the proposed valuation are raised at or before the confirmation hearing, the valuation specified in the plan will be binding upon the affected secured creditor.
- (3) Hearing on Objections to Valuation.** Oral or written objections to the debtor’s proposed valuation pursuant to 11 U.S.C. § 506(a) shall be heard at the confirmation hearing as originally scheduled in the “Notice of Chapter 13 Case”.

✎ 2002 Amendment: Amended to set forth a procedure in chapter 13 cases for valuation of collateral. These amendments modified the provisions that were contained in AO 99-2, paragraphs 4 and 5 regarding valuation of collateral to provide that objections to valuation indicated in a plan be filed at or before the confirmation hearing. In addition, this rule requires that a new Local Form “Motion to Value Collateral in Plan and Notice of Hearing” be served on the affected creditors in accordance with Bankruptcy Rule 7004.

#### **(B) Confirmation of Plan.**

- (1) Objections to Confirmation.** Except for objections to confirmation based on valuation of collateral in the plan, objections to confirmation of the plan must be raised at or before the § 341 meeting, and any written objection must be filed and served on the standing chapter 13 trustee at or before the meeting, or the objection is deemed waived.
- (2) Confirmation Process.** The court may, by administrative order, establish procedures for confirmation of chapter 13 plans.
- (3) Order Confirming Plan.** Upon confirmation of a chapter 13 plan, the applicable local form chapter 13 plan confirmation order shall be served pursuant to Local Rule 2002-1(C)(11).

*[Comment: See also Local Rules 6006-1(B) (confirmation order shall contain language regarding*

*status of executory contracts or unexpired leases of chapter 13 debtors.), 6007-1(B)(2) (notice of abandonment of property by the chapter 13 trustee will be provided in the confirmation order).]*

☞ 2002 Amendment: Amended to include provision that the court may, by Administrative Order, utilize alternate confirmation processes in chapter 13 cases.